

**REMARKS/ARGUMENTS**

In response to the Office Action mailed August 21, 2008, Applicant requests reconsideration of the rejections in light of the foregoing amendments to the claims and the following remarks. A three month request for extension of time to respond is attached hereto.

The drawings have been objected to under 37 CFR 1.83(a). Applicant has amended the Figure to indicate the pin index as new designation 12A and has submitted a Replacement Sheet. The specification at page 7, last paragraph has been amended accordingly.

Claims 1-9 and 13-15 stand rejected under 35 USC §102(b) as being anticipated by Lockwood Jr. (US Pat. No. 4,402,340).

The Examiner contends that each and every element of Applicant's claimed invention is present in Lockwood Jr. Applicant disagrees however with the Examiner's assertion that the guide of Lockwood Jr. is able to translate into a position in which the shuttle cannot be brought to bear against the valve seat (the valve element 224 prevent the shuttle contact with the valve seat in figures 12 and 14).

Applicant contends that the valve plug 52 is seated against the valve seat 48 according to col. 4, lines 33-39 of Lockwood Jr. In Applicant's claimed invention the travel of the shuttle does not bear against the valve seat. This is discussed at page 4 last paragraph through to page 5 first paragraph where the shuttle cannot be brought to bear against the valve seat.

In Lockwood Jr., figures 12, 13 and 14 show the position of the valve plug and valve seat with the addition of an "O" ring. The "O" ring will apparently form a sufficient seal between the valve plug and valve seat at low pressures but will

need to be pushed further into the valve seat and lip arrangement so that the valve plug and valve seat mate to hold higher pressures.

As noted in the accompanying text, this adjustment is simply a matter of turning the hand wheel of the manual actuator to move the valve plug and valve seat together. This is not present in Applicant's claimed invention as the valve body is engaged by said guide said guide being able to be translated into a position in which said shuttle cannot be brought to bear against the valve seat. The shuttle or valve plug of Lockwood Jr. is capable of being brought to bear against the valve seat so this aspect of Applicant's claimed invention is not identically disclosed in Lockwood Jr. and as such cannot be held to anticipate claim 1. Reconsideration and reversal of this rejection are respectfully requested.

Claim 10 stands rejected under 35 USC §103(a) as being unpatentable over Lockwood Jr. in view of Yonezawa (US Pat. No. 3,981,328).

The Examiner contends that Yonezawa discloses a guide with a screw-threaded outer surface engaging a complementary screw in the valve body and the guide has a handling portion in which a tool can be inserted for removing and replacing the guide. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided the guide of Yonezawa in Lockwood Jr. invention in order to provide a replaceable guide by using a tool.

Yonezawa teaches that the sleeve 19 may be threaded 18 on the outside of the sleeve. A wrench 33 or other similar tool can engage the handling portion 19' of the sleeve and raise the sleeve up the threads 18. This enables communication between chambers 4 and 5 and fluid to thereby flow into or out through the passage 3.

In Lockwood Jr. the valve seat and valve plug will contact each other primarily when a handle is rotated the valve stem will lower within the chamber and also is raised by turning of the handle.

In Applicant's invention the screw threaded outer surface engages a complementary screw in the valve body. This screw thread of the guide engages a complementary screw-threaded surface formed in the body. The guide also has a socket which can receive a tool and translate the guide up or down relative to the body.

Applicant contends that there is no reason to combine the teachings of Lockwood Jr. with Yonezawa as the mechanism for moving the valve stem in Lockwood Jr. is simply through a handle. In the instance of Yonezawa, gas fluid flow can be enabled by manipulating the sleeve and raise or lower it by its threads. Lockwood Jr. does not require this kind of motion of its sleeve to allow for the flow of gas. Accordingly this is not an intended nor desired feature in Lockwood Jr. and there is no reason to combine its teachings with those of Yonezawa to arrive at the invention as claimed in claim 10. Reconsideration and reversal of this rejection are respectfully requested.

Claim 11 stands rejected under 35 USC §103(a) as being unpatentable over Lockwood Jr. in view of Yonezawa (US Pat. No. 3,981,328) as applied to claim 10 above, and further in view of Ellis (US Pat. No. 2,262,669).

The Examiner contends that the combination of Lockwood Jr. and Yonezawa disclose the guide with a handling portion in which can be inserted a tool. Yonezawa fails to disclose a socket in which a tool can be inserted.

Ellis discloses a socket in which a specific tool can be inserted for removing and replacing a head. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided a socket of Ellis

in combination with Lockwood Jr. and Yonezawa in order to permit operation with a specific tool only to replace/remove the guide from body.

Applicant contends that this combination does not obviate claim 1. Ellis discloses a choke for flow lines for restricting the flow and extent of flow of a fluid. A gland nut may be turned within the recess of a valve body by inserting a tool of sorts into a recess. By turning the gland nut, a packing consisting of a plurality of superposed rings is compressed against the shoulder of the internal casing.

In Applicant's invention the screw threaded outer surface engages a complementary screw in the valve body. This screw thread of the guide engages a complementary screw-threaded surface formed in the body. The guide also has a socket which can receive a tool and translate the guide up or down relative to the body.

In the instance of Yonezawa, gas fluid flow can be enabled by manipulating the sleeve and raise or lower it by its threads. Lockwood Jr. does not require this kind of motion of its sleeve to allow for the flow of gas. Since Lockwood Jr. does not teach the desirability of this feature nor a use for such motion of its sleeve, there would be not reason to look further to a choke device that allows for the guide to allow for insertion of a tool to provide clamping means on a series of rings. The basic operability of Lockwood Jr. does not suggest the need for such a feature nor the desirability in implementing it given the way Lockwood Jr. moves its shuttle to contact the valve seat. As such, this combination does not obviate the invention as claimed in claim 11.

Reconsideration and reversal of this rejection are respectfully requested.

The prior art made of record and not relied upon has not been discussed as it is considered less relevant than that art relied upon.

Appl. No. 10/527,972  
Amdt. dated February 19, 2009  
Reply to Office Action of August 21, 2008

For these reasons Applicant submits that his claims define patentable subject matter and are in condition for allowance. Prompt favorable action to that end is respectfully requested. The Examiner is invited to call the undersigned should any question arise during the reconsideration of the subject application.

Respectfully submitted,

Correspondence Information  
Customer Number: 20411  
Phone 908-771-6402  
Fax: 908-771-6159

/Philip H. Von Neida/  
Philip H. Von Neida  
Registration No. 34,942  
Attorney for Applicants  
Date: February 19, 2009

